

## **Woodstock Planning and Zoning Regulation Review Subcommittee Meeting Minutes**

Thursday, April 5, 2012 Lower Level, Woodstock Town Hall Time: 7:30 p.m.

1. The meeting was called to order at 7:31 p.m.
2. Roll Call: D. Durst; J. Gordon, M.D.; F. Rich; D. Fortin, Chair; S. Blodgett (7:35 p.m.) and J. Adiletta (7:35 p.m.). Absent: G. Dickinson, M.D.; D. Young; K. Goldsmith; T. Serrine and L. White. Staff: D. Fey, AICP, Planner/ZEO. Guest: B. Howe, WINY
3. Approval of minutes
  - a. March 22, 2012 Special Subcommittee MeetingMotion to approve minutes of March 22<sup>nd</sup> (D. Durst / F. Rich). All in favor, motion carries.
4. Citizen's Comments: none

The following changes were agreed to by the Subcommittee. Minor clarifications or deletions were made to clarify the meaning, where significant changes were made, they are included below, **bold** text is added, ~~crossed-out~~ is deleted. (The whole document with all changes from this meeting incorporated is on file with the Town Planner.) If the change from this meeting occurs within text that is bold already since it was previously proposed as a change to the Regulations, the change from this meeting will also be **underlined** in addition to being bold text.

5. Town Planner Comments
  - D. Fey reviewed the list of what requires a zoning permit as requested by PZC Subcommittee at the last meeting, the list is within in Article V, ~~A~~ Section 1 **General**.
    - a. Accessory apartments and outdoor wood-burning furnaces should be added to the list since they currently require a zoning permit.
    - b. Driveways: This could invite confusion since we do not require a Woodstock zoning driveway permit for a driveway on a state road. This became a problem recently when a new driveway on state road was the subject of a private dispute with the sides arguing about how the owner and contractor had not obtained a Woodstock driveway permit. The Regulations should be clear so that people will understand by reading them what requires a local Woodstock zoning permit.

Article V, ~~A~~ Section 1 **General**

### **C. Zoning Permits may be ~~are~~ required for, but not limited to new or modified:**

1. **New Construction**,
2. **Accessory structures**
3. **Certain types of renovations,**
4. **Change of Use,**
5. **Signs,**
6. **Driveways on Town Roads (driveways on State Roads require a permit from CT DOT),**
7. **Excavation,**
8. **Home Occupation, and**
9. **Lighting,**

**10. Accessory Apartments**

**11. Outdoor Wood-burning Furnaces**

6. Other from Commission (no discussion of pending or potential applications) - none

7. Resume DRAFT Zoning Regulations resume review at Article V, Section D.2.Q.1

**Article V, C, Section 4 Waiver of Zoning Permit Application Requirements**

~~The applicant shall submit all of the foregoing materials to the Zoning Enforcement Officer or to the Commission. The Zoning Enforcement Officer or the Commission may, upon written request by the applicant, waive one or more of the submission requirements of subsection \_\_\_ if the applicant can demonstrate to the satisfaction of the Officer or Commission that the such requirement(s) is not needed to reach a decision on the application.~~

The ZEO or the Commission may modify or waive one or more of the application requirements, upon written request by the applicant, if the applicant can demonstrate to the satisfaction of the Commission or the ZEO that such requirement is not needed to reach a decision on the application. No such waiver shall be granted that would lessen the goals and objectives of these regulations. Any waiver granted by the Commission shall require the affirmative vote of a majority of the voting members of the Commission present.

**Article V, C, Section 5 Applications for Zoning Permits**

The Commission shall approve or deny any application for Zoning Permit non-residential uses, with the ZEO approving or denying zoning permit applications for (except agricultural uses, residential uses, and Sign Permits. municipal uses).

**Article V, D, Section 1 Special Permits, General**

C. An application for a Special Permit shall be officially received by the Commission only at a regular meeting, but must be filed with the office of the Town Planner/ZEO; ~~in the Woodstock Planning Office~~ it is recommended the application be submitted at least seven (7) days prior to such meeting for review and placement on the agenda.

**Article ~~V~~ V, D, Section 2 Special Permit ~~Information~~ Application Requirements**

The PZC Subcommittee will come back to the application requirements list comparison between Zoning Permits and Special Permits at a future meeting.

**Article V, D, Section 3 Waiver of Special Permit Application Requirements ~~Waiver~~**

~~The Commission may, upon written request by the applicant, waive one or more of the requirements of subsections \_\_\_\_\_ if the applicant can show, to the satisfaction of the Commission, that the information is not~~

~~needed to reach a decision on the application. Such waiver shall require an affirmative majority vote of the quorum of the Commission present for the vote.~~

The ZEO or the Commission may modify or waive one or more of the application requirements, upon written request by the applicant, if the applicant can demonstrate to the satisfaction of the Commission or the ZEO that such requirement is not needed to reach a decision on the application. No such waiver shall be granted that would lessen the goals and objectives of these regulations. The Commission may request and consider the recommendations of the Town Planner/ZEO and/or Legal Counsel before acting upon a waiver request. In granting or denying a waiver request, the Commission shall state in the record the reason(s) for its actions. Any waiver granted by the Commission shall require the affirmative vote of a majority of the voting members of the Commission present.

#### Article V, D, Section 4 Public Hearings for Special Permit Applications

A. At least ten (10) days prior to such public hearing, the applicant shall post a notice, in a form and content approved by the ~~Planning & Zoning~~ Commission, at a visible location(s) along the premises' street frontage(s), indicating that an application is pending with the Planning & Zoning Commission. The posted notice shall be properly maintained until the decision on the application has been rendered.

B. The applicant shall also send a written notice of such pending application to all owners of property (from Assessor's records) within a three-hundred (300) foot radius of the parcel's boundaries including across the road, at least ten (10) days prior to the public hearing, and shall provide a list of all such property owners and the letter sent to them, together with ~~evidence of such~~ Certificate of Mailing, to the Commission at least five days prior to the hearing.

D.. Durst will check to see what the distance is for ZBA's abutter notification requirement, the recollection is that it was increased to 500 feet. If this is correct, D. Fey is requested to change it in the Regulations for Special Permits to be consistent.

~~C. An application for a Special Permit shall be officially received by the Commission only at a regular meeting, but must be filed with the office of the Town Planner/ZEO; in the Woodstock Planning Office it is recommended the application be submitted at least seven (7) days prior to such meeting for review and placement on the agenda.~~

D. At the public hearing, the applicant shall present the application, including the special permit plan and any other documents required or submitted with the application, and the public, Commissioners, and Town staff will also shall be given an opportunity to be heard. ~~A representative of a water company and of the Commissioner of Public Health may appear and be heard at any hearing on an application where the proposed activity, use or structure is within an aquifer protection area or the watershed of a water~~

~~company.~~

8. DRAFT Zoning Regulations, Article VII  
Motion to table until the next meeting (J. Gordon, M.D./F. Rich). All in favor, motion carries.
9. Agenda for next meeting
  - a. May 3, 2012 Subcommittee meeting – the agenda will be based on the work achieved at the April 26<sup>th</sup> meeting.
  - b. Extra Subcommittee meeting?  
Motion to hold a Special Meeting on Thursday, April 26<sup>th</sup> at 7:30 p.m. (J. Gordon, M.D./D. Durst). All in favor, motion carries. The agenda will resume at Article V, D, Section 5 ~~4~~ **Special Permit Decisions Evaluation Criteria** and to include review of DRAFT Zoning Regulations, Article VII.
10. Adjournment was at 9:34 p.m. (J. Gordon, M.D./ F. Rich). All in favor, motion carries.